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Interim Co-Lead and Liaison Counsel for Indirect Purchaser Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE TFT-LCD (FLAT PANEL))	Master File No. C07-1827 SI
ANTITRUST LITIGATION)	
_____)	MDL No. 1827
)	
This Document Relates to:)	REQUEST FOR INTERNATIONAL
)	JUDICIAL ASSISTANCE
ALL INDIRECT PURCHASER ACTIONS)	
)	(LETTER ROGATORY)
)	
_____)	

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2 The United States District Court Northern District of California presents its compliments to
3 the Appropriate Judicial Authority of Taiwan, and requests international assistance to effect
4 service of process to be used in a civil proceeding before this Court in the above captioned matter.

5 **I. REQUEST**

6 This Court requests the assistance described herein as necessary in the interests of justice.
7 The assistance requested is that the Appropriate Judicial Authority of Taiwan effect Service of
8 Process of: Amended Summons in a Civil Case; the First Amended Complaint; Judge Illston's
9 current Case Management Order; Standing Order re: Cases Designated for Electronic Filing; Case
10 Management Conference Order; *Dispute Resolution Procedures in the Northern District of*
11 *California* handbook; Magistrate Judge form; the United States District Court for the Northern
12 District of California's ECF Registration Information Handout; and Certified Translations of these
13 documents on the below-named corporation:

14 Chi Mei Corporation
15 No. 11-2, Jen Te 4th St., Jen Te Village
16 Jen Te, Tainan 717, Taiwan

17 The Appropriate Judicial Authority of Taiwan is requested to serve the documents listed
18 above by personal service into the hands of a director, managing agent or other person authorized
19 to accept service at the above listed address or in any manner prescribed for the service of such
20 documents consistent with the law of Taiwan.

21 **II. FACTS OF THE CASE**

22 The Complaint in this action was been filed under Section 16 of the Clayton Act, (15
23 U.S.C. § 26), to obtain injunctive relief for violations of Section 1 of the Sherman Act, (15 U.S.C.
24 § 1), and to recover damages and/or restitution under various state antitrust and consumer
25 protection laws, including to recover the costs of suit, and reasonable attorneys' fees. This Court
26 has jurisdiction over the federal claims under 28 U.S.C. §§ 1331 and 1337. The Court has
27 jurisdiction over the state law claims under 28 U.S.C. § 1367.

There are two general categories of cases in these related actions: (1) those brought under federal law on behalf of direct purchasers; and (2) those brought generally under state law on behalf of indirect purchasers, for which there are over seventy complaints covering twenty-three different states. All plaintiffs allege that they purchased Thin Film Transistor Liquid Crystal Display products (“TFT-LCD Products”) either directly or indirectly from defendants or from their alleged co-conspirators. Plaintiffs claim damages caused by the defendants’ conspiracy to fix prices on TFT-LCD Products sold in the United States and elsewhere. The plaintiffs allege the conspiracy began in November 1, 1998 and continued through at least December 31, 2006 (the “Class Period”).

In or about December of 2006, the Antitrust Division of the United States Department of Justice (“DOJ”) sent out subpoenas to various companies in connection with an investigation of cartel activity in the TFT-LCD industry. Several of these companies being investigated have already pled guilty to price-fixing in the DRAM industry and have paid substantial fines to the DOJ for those unlawful activities.

III. RECIPROCITY

The United States District Court for the Northern District of California represents that in the event a citizen of Taiwan requires assistance serving process on a citizen of California, this Court would be willing to provide similar assistance to the Appropriate Judicial Authority of Taiwan in effectuating service on the California resident as is being requested through this Letter Rogatory. The Court’s contact information is:

Address: 450 Golden Gate Ave, San Francisco, CA 94102

Contact Person: Tracy Sutton, Calendar Clerk, at phone number: 415-522-2028, or

Docket Clerk, Yumiko Saito, at phone number: 415-522-2068.

IV. REIMBURSEMENT FOR COSTS

Lead and Liaison Counsel for the Indirect-Purchaser Plaintiffs have represented that they are willing to reimburse the appropriate Judicial Authority of Taiwan for costs incurred in executing this Letter Rogatory in an amount not to exceed One Thousand Five Hundred dollars

1 (\$1500.00). If the costs for executing this Letter Rogatory will exceed US \$1500, please contact
2 Lead and Liaison Counsel for the Indirect-Purchaser Plaintiffs before exceeding this amount.

3 Their contact information is as follows:

4 Francis O. Scarpulla
Zelle Hofmann Voebel Mason & Gette LLP
5 44 Montgomery Street, Suite 3400, San Francisco, CA 94104.
Phone: (415) 693-0700; Fax: (415) 693-0770.

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7 Jack W. Lee
Minami Tamaki LLP
8 360 Post Street, 8th Fl.
San Francisco, CA 94108
9 Phone: (415) 788-9000; Fax: (415) 398-3887

10 In acknowledgment of the additional time which is needed to prepare and file a responsive
11 pleading to the attached documents, the time period is extended to 45 days after service.

12 The Court extends to the Appropriate Judicial Authorities of Taiwan assurances of its
13 highest consideration.

14
15 10/23/07

16 DATED: _____

By: _____



United States District Judge
United States District Court

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